

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Wayne A. Bonin Examiner in immediately preceding
 parent case: D. Larkin

Serial No.: Unknown

Anticipated Group Art Unit:

Filed: November 6, 1997

For: APPARATUS FOR MICROINDENTATION HARDNESS TESTING AND SURFACE IMAGING INCORPORATING A MULTI-PLATE CAPACITOR SYSTEM

FILE WRAPPER CONTINUING APPLICATION (FWC) 37 CFR 1.62)

Box FWC
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

I. This is a request for a filing under the file wrapper continuing application procedure, 37 CFR 1.62, for a continuation of prior complete application Serial No. 08/690,909, filed on August 1, 1996.

1. Title, as originally filed, APPARATUS FOR MICROINDENTATION HARDNESS TESTING AND SURFACE IMAGING INCORPORATING A MULTI-PLATE CAPACITOR SYSTEM, and as last amended, APPARATUS FOR MICROINDENTATION HARDNESS TESTING AND SURFACE IMAGING INCORPORATING A MULTI-PLATE CAPACITOR SYSTEM.

CERTIFICATE OF MAILING (37 CFR 1.10)

I hereby certify that this FWC transmittal and the documents referred to as being attached therein are being deposited with the United States Postal Service on this date November 6, 1997 in an envelope as "Express Mail Post Office to Addressee" mailing Label Number EM020679998US addressed to the: Assistant Commissioner for Patents, Box FWC, Washington, D.C. 20231.

Steven E. Dicke
(Type or print name of person mailing paper)

Steven E. Dicke
(Signature of person mailing paper)

Date: November 6, 1997

2. Name of applicants (as originally filed and as last amended) and current correspondence address of applicant:

Full name of sole or first inventor Wayne A. Bonin

Residence 21 Black Oak Road, North Oaks, MN 55127

Citizenship US

Post Office Address 21 Black Oak Road, North Oaks, MN 55127

The above application is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

It is understood that secrecy under 35 U.S.C. 122 is hereby waived to the extent that, if information or access is available to any one of the applications in the file wrapper of a 37 CFR 1.62 application, be it either this application or a prior application in the same file wrapper, the PTO may provide similar information or access to all the other applications in the same file wrapper.

II. Inventorship Statement

This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above, and the inventor in this application is the same.

III. Declaration or Oath

Continuation - none required, as such was filed in the parent case identified above.

IV. Identification of Claims for Further Prosecution

The fees to be charged are to be based on the number of claims remaining as a result of the:

prior application, which is now repeated.

V. Fee Calculation

CLAIMS FOR FEE CALCULATION			
Number Filed	Number Extra	Rate	Basic Fee
Total Claims 24 -20=	4 X	\$ 11.00	\$44.00
Independent Claims 3-3=	0 X	\$ 41.00	0
Multiple dependent claims, if any		\$135.00	0
The fee for extra claims is not being paid at this time.			
Filing fee calculation			\$439.00

VI. Method of Payment of Fees

Attached is a check in the amount of \$439.00.

VII. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge the following additional fees which may be required by this paper and during the pendency of this application to Account No. 14-0620.

VIII. Relate Back - 35 U.S.C. 120

Amend the specification at page 1, line 2, by inserting *A* This

application is a continuation of U.S. Application Serial No. 08/690,909, filed August 1, 1996, ^{now abandoned}, which is a continuation of U.S.

Application Serial No. 08/327,979, filed October 24, 1994, now U.S.

Patent No. 5,553,486, which is a continuation-in-part of U.S.

Dan Application Serial No. 08/131,405, filed October 3, 1993, ^{now abandoned}. *A*

IX. Power of Attorney

The power of attorney in the prior application is to:

SI

Wayne A. Sivertson, Reg. No. 25,645
Lawrence M. Nawrocki, Reg. No. 29,333
John L. Rooney, Reg. No. 28,898
Donald A. Jacobson, Reg. No. 22,308
David M. Crompton, Reg. No. 36,772
Glenn M. Seager, Reg. No. 36,926
Timothy A. Czaja, Reg. No. 39,649
Steven E. Dicke, Reg. No. 38,431
Brian N. Tufte, Reg. No. 38,638
Craig F. Taylor, Reg. No. 40,199
Lew Schwartz, Reg. No. 22,067

Address all future communications to:

NAWROCKI, ROONEY & SIVERTSON, P.A.
Suite 401, Broadway Place East
3433 Broadway Street N.E.
Minneapolis, MN 55413
(612) 331-1464

X. A petition and fee have been filed to extend the term in the pending prior application until November 6, 1997.

XI. Abandonment of Prior Application

Please abandon the prior application at a time while the prior application is pending and when this application is granted a filing date so as to make this application copending with said prior application. At the same time, please add the words "now abandoned" to the amendment to the specification set forth in IX above.

XII. Assignment

The prior application is assigned to Hysitron Inc.
as recorded in the Patent and Trademark Office on Reel 7292, Frame 0173.

Date November 6, 1997 Steven E. Dicke
Steven E. Dicke, Reg. No. 38,431
NAWROCKI, ROONEY & SIVERTSON, P.A.
Suite 401, Broadway Place East
3433 Broadway Street N.E.
Minneapolis, MN 55413
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A/FWC



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Wayne A. Bonin

Serial No.: Unknown

Examiner: D. Larkin

Filing Date: November 6, 1997 Group Art Unit: 2212

For: APPARATUS FOR MICROINDENTATION HARDNESS TESTING
AND SURFACE IMAGING INCORPORATING A MULTI-PLATE
CAPACITOR SYSTEM

Docket No.: 55463/101/103

TRANSMITTAL SHEET

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

CERTIFICATE UNDER 37 C.F.R. 1.10: The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, "Express Mail Post Office to Addressee" having an Express Mail mailing label number of : EM020679998US, in an envelope address to: Assistant Commissioner for Patents, Washington, D.C., 20231 on this 6th day of November, 1997.

By Steven E. Dickey

We are transmitting herewith the attached:

Amendment

- No additional fee required
- The fee has been calculated as shown:

CLAIMS AS AMENDED							
	(3)	(4)	(5)	SMALL ENTITY		OTHER	
	REMAINING CLAIMS	HIGHEST PAID	EXTRA	RATE	ADD'L FEE	RATE	ADD'L FEE
TOTAL CLAIMS	-	=		x11=	\$	x22=	\$
INDEPENDENT CLAIMS	-	=		x41=	\$	x82=	\$
() FIRST MULTIPLE DEPENDENT CLAIM				+135=	\$	+270	\$
TOTAL				\$		\$	

[XX] A check in the amount of \$ 439.00 is enclosed.

[XX] Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by verified statement previously submitted.

[XX] Other: FILE WRAPPER CONTINUING APPLICATION (FWC) 37
CFR 1.62

[XXXX] Please charge any deficiencies or credit any over payment in the enclosed fees to Deposit Account 14-0620.

By: Steven E. Dicke

Reg. No. 38,431

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